

PUBLIC RECORD VERSION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TWENTIETH CENTURY FOX FILM CORPORATION, :
UNIVERSAL CITY STUDIOS PRODUCTIONS LLLP, :
PARAMOUNT PICTURES CORPORATION, :
DISNEY ENTERPRISES, INC., :
CBS BROADCASTING INC., :
AMERICAN BROADCASTING COMPANIES, INC. :
and NBC STUDIOS, INC., :
:

Plaintiffs/Counterclaim-Defendants,

06 Civ. 3990 (DC)

v.

CABLEVISION SYSTEMS CORPORATION
and CSC HOLDINGS, INC.,

Defendants/Counterclaim-Plaintiffs.
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DECLARATION OF ELEANOR M. LACKMAN

ELEANOR M. LACKMAN declares as follows:

1. I am an attorney admitted to practice before this Court. I am associated with Arnold & Porter LLP, counsel for plaintiffs/counterclaim-defendants Twentieth Century Fox Film Corporation, Universal City Studios LLLP, Paramount Pictures Corporation, Disney Enterprises, Inc., CBS Broadcasting Inc., American Broadcasting Companies, Inc. and NBC Studios, Inc. ("Plaintiffs") in the above-captioned matter. I submit this declaration in support of plaintiffs/counterclaim-defendants' opposition to defendants/counterclaim-plaintiffs' ("Cablevision") Motion for Summary Judgment.

2. A true and correct copy of selected pages from Cablevision's website, located at www.cablevision.com, is attached hereto as Exhibit 1.

3. A true and correct copy of selected articles from the Associated Press Financial Wire, *Broadcasting & Cable*, *The Daily Advertiser*, *Daily Record*, *Daily Variety*,

Dow Jones Newswires, *The Hollywood Reporter*, *In-Stat*, MSNBC.com, *Multichannel News*, *Reuters News*, *Telephony*, *Television Week*, *24 Hours*, and *USA Today*, is attached hereto as Exhibit 2.

4. A true and correct copy of the complaint, without exhibits, in *Metro-Goldwyn-Mayer Studios Inc., et al. v. RecordTV.com, et al.*, No. 00-06443-MMM(MANx) (C.D. Cal.), dated June 15, 2000, is attached hereto as Exhibit 3.

5. A true and correct copy of the complaint, without exhibits, in *Paramount Pictures Corp., et al. v. ReplayTV, Inc., et ano.*, No. 01-09358-FMC(Ex) (C.D. Cal.), dated November 21, 2001, is attached hereto as Exhibit 4.

6. A true and correct copy of the document bates labeled CSC001749-55, produced by Cablevision, is attached hereto as Exhibit 5.

7. A true and correct copy of the document bates labeled CSC002137-46, produced by Cablevision, is attached hereto as Exhibit 6.

8. A true and correct copy of the document bates labeled CSC002604-05, produced by Cablevision, is attached hereto as Exhibit 7.

9. A true and correct copy of the document bates labeled CSC001114, produced by Cablevision, is attached hereto as Exhibit 8.

10. A true and correct copy of the document bates labeled CSC001184-91, produced by Cablevision, is attached hereto as Exhibit 9.

11. A true and correct copy of relevant portions of the deposition transcript of Stephanie Mitchko, dated July 11-12, 2006, is attached hereto as Exhibit 10.

12. A true and correct copy of the document identified as Exhibit 4 to the deposition of Edward McRae Budill, dated July 25, 2006, is attached hereto as Exhibit 11.

13. A true and correct copy of relevant portions of the deposition transcript of Edward McRae Budill, dated July 25, 2006, is attached hereto as Exhibit 12.
14. A true and correct copy of the document identified as Exhibit 36 to the deposition of Stephanie Mitchko, dated July 11-12, 2006, is attached hereto as Exhibit 13.
15. A true and correct copy of relevant portions of the document identified as Exhibit 5 to the deposition of Patricia Gottesman, dated August 1, 2006, is attached hereto as Exhibit 14.
16. A true and correct copy of the contents of the web site located at http://www.scientificatlanta.com/ExplorerClubGuides/getting_started/745461B.pdf, printed on September 21, 2006, is attached hereto as Exhibit 15.
17. A true and correct copy of the contents of the web site located at http://www.scientificatlanta.com/ExplorerClubGuides/getting_started/4012606.pdf, printed on September 21, 2006, is attached hereto as Exhibit 16.
18. A true and correct copy of relevant portions of the deposition transcript of Kirk Blattman, dated August 11, 2006, is attached hereto as Exhibit 17
19. A true and correct copy of the document identified as Exhibit 4 to the deposition of Stephanie Mitchko, dated July 11-12, 2006, is attached hereto as Exhibit 18.
20. A true and correct copy of the document identified as Exhibit 40 to the deposition of Stephanie Mitchko, dated July 11-12, 2006, is attached hereto as Exhibit 19.
21. A true and correct copy of relevant portions of the document identified as Exhibit 29 to the deposition of Kirk Blattman, dated August 11, 2006, is attached hereto as Exhibit 20.
22. A true and correct copy of relevant portions of the deposition transcript of Bob Lee, dated September 13, 2006, is attached hereto as Exhibit 21.

23. A true and correct copy of relevant portions of the deposition transcript of Peter Caramanica, dated September 14, 2006, is attached hereto as Exhibit 22.

24. A true and correct copy of relevant portions of the document identified as Exhibit 37 to the deposition of Stephanie Mitchko, dated July 11-12, 2006, is attached hereto as Exhibit 23.

25. A true and correct copy of the document identified as Exhibit 31 to the deposition of Stephanie Mitchko, dated July 11-12, 2006, is attached hereto as Exhibit 24.

26. A true and correct copy of relevant portions of the document identified as Exhibit 14 to the deposition of Peter Caramanica, dated September 14, 2006, is attached hereto as Exhibit 25.

27. A true and correct copy of the document identified as Exhibit 21 to the deposition of Stephanie Mitchko, dated July 11-12, 2006, is attached hereto as Exhibit 26.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York
September 22, 2006



ELEANOR M. LACKMAN